

In the United States Patent and Trademark Office**RECEIVED
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Applicants: Troy Michael Runge et al.
Serial No.: 09/800,645
Confirmation No: 5221
Filed: March 7, 2001

Docket No.: 16,670
Group: 1731
Examiner: M. Halpern
Date: July 26, 2005

JUL 26 2005

For: Method For Applying Chemical
Additives To Pulp During The
Pulp Processing And Products
Made By Said Method

Provisional Terminal Disclaimer

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Present Application

1. Kimberly-Clark Worldwide, Inc., doing business at 401 North Lake Street, Neenah, Wisconsin, 54956, is the assignee of the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 09/800,645 filed on March 7, 2001 for "Method For Applying Chemical Additives To Pulp During The Pulp Processing And Products Made By Said Method".
2. Assignment of the inventors' rights in present patent application serial number 09/800,645 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 011786, Frame 0477.

Copending Commonly Assigned Application

1. Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to copending U.S. patent application serial number 10/242,571 filed on September 11, 2002 for "Improved Method For Using Water Insoluble Chemical Additives With Pulp And Products Made By Said Method".
2. Assignment of the inventors' rights in copending patent application serial number 10/242,571 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 013432, Frame 0559.

Right of Assignee to Prosecute

Kimberly-Clark Worldwide, Inc. certifies:

- (a) that the evidentiary documents have been reviewed; and
- (b) that to the best of Kimberly-Clark Worldwide, Inc.'s knowledge and belief, title of present U.S. patent application serial number 09/800,645 is in Kimberly-Clark Worldwide, Inc..

Provisional Terminal Disclaimer

1. In the event that a patent based upon copending U.S. patent application serial number 10/242,571 issues, Kimberly-Clark Worldwide, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present U.S. patent application serial number 09/800,645, which would extend beyond the expiration date of the full statutory term, including any applicable term extensions, defined in 35 U.S.C. 154 and 156 for said issuing patent based on U.S. patent application serial number 10/242,571.
2. Kimberly-Clark Worldwide, Inc. hereby agrees that any patent granted upon present U.S. patent application serial number 09/800,645 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to copending U.S. patent application serial number 10/242,571 and any patent(s) issuing therefrom. This agreement shall run with any patent granted upon present U.S. patent application serial number 09/800,645 and shall be binding upon the Kimberly-Clark Worldwide, Inc., its successors and/or assigns.

Exceptions to Provisional Terminal Disclaimer

In the event that, after the filing of this Terminal Disclaimer, any patent based upon copending U.S. patent application serial number 10/242,571:

- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole;
- (e) is terminally disclaimed under 37 C.F.R. 1.321(a);
- (f) has all of its claims canceled in a reexamination certificate; or
- (g) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. 154 prior to the expiration of its full statutory term;

Kimberly-Clark Worldwide, Inc. specifically does not disclaim any terminal part of any patent granted on the present U.S. patent application serial number 09/800,645 prior to the expiration date of the term defined in 35 U.S.C. 154 and 156 including any term extensions as applicable to any patent granted on copending U.S. patent application serial number 10/242,571.

Fee

Pursuant to 37 C.F.R. 1.321(c)(1), please charge the \$110.00 fee due in accordance with 37 C.F.R. 1.20(d) to Kimberly-Clark Worldwide, Inc.'s deposit account number 11-0875. This Provisional Terminal Disclaimer is filed in duplicate.

The undersigned is an attorney of record in the present application having serial no.09/800,645.

Respectfully submitted,

KIMBERLY-CLARK WORLDWIDE, INC.

TROY MICHAEL RUNGE ET AL.

By:


Gregory E. Croft

Reg. No. 27,542

Date: July 26, 2005

CERTIFICATE OF TRANSMISSION

I, Judy Garot, hereby certify that on July 26, 2005 this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

Typed or printed name of person signing this certificate:

Judy Garot

Signature:

